

means for measuring time and producing an indication if the acknowledging means does not produce an acknowledgement of the receipt of a user message by a determined time,

and

means, responsive to the production of said indication by said means for measuring time, for forwarding the received user message to the activated secondary mobile station of the recipient.

18. System according to Claim 15, wherein the means for activating a secondary mobile station of the recipient as the receiver of user messages addressed to the primary mobile station comprises means for conducting the activation from the secondary mobile station to be activated.

REMARKS

No Claims have been amended, cancelled, or added.

Claims 1 - 18 are in the case.

REJECTIONS:

Claims 1, 2, 4 - 6, 8 - 15, 17, and 18 were again rejected under 35 U.S.C. § 102(b) as anticipated by the reference PEPE ET AL (US 5,742,905).

Dependent Claims 3, 7, and 16 were again rejected under 35 U.S.C. § 103(a) as obvious and unpatentable over the reference PEPE ET AL (US 5,742,905) in view of the reference PEPPER ET AL (US 5,930,700) on the grounds that PEPE discloses all of the claimed features except user messages that are generated on the basis of the notification of calendar events, for which feature PEPPER was offered, and the combination concluded to render the invention as claimed obvious to the art.

In replying to the Applicants' arguments in the response to the previous Office Action, the Examiner contended that while Applicants' assert that the pertinent devices of today, e.g.,

cellular phone, pager, and PDA, operate quite differently from the related devices taught by PEPE in 1994, their claims do not specify how user messages are differently handled today as distinguished from the handling in the prior art. Further, in response to the Applicants' insistence that there is a difference between a "notification" and a "message", it was contended that PEPE teaches the notification of a user by redirecting a text message (Abstract) and a text messaging technique which amounts to a short messaging service.

REPLY:

There appears to be some confusion over the meaning of the term "user messages" recited in Applicants' claims as compared to what constitutes a "notification" and particularly a "text message notification" as disclosed by PEPE, and, most importantly, as to what those of skill in the art would be led to understand from PEPE's teaching regarding what is defined in Applicants' claims.

To begin with, one of skill in the art would readily understand that Applicants' invention involves a method and system for handling **user messages**, which contain information for the user, as contrasted with a **notification**, which informs the user that a user message has been received but does not communicate the information in the message. For example, "You have 1 new voice mail in your voice mailbox" or "You have a new fax in your fax mailbox" is NOT a user message, but rather a notification of a new, received, user message, the message itself being the voicemail or fax. This distinction would be readily understood by the art and is not altered by the form of the notification, i.e., whether it is in text, symbol, or code format.

Now, in evaluating what those of skill in the art would be led to understand from PEPE's teaching with respect to user messages and the other limitations defined in Applicants' claims, Applicants have earlier pointed out that the date of PEPE's disclosure must be taken into consideration when determining what it would teach the art. A close reading of PEPE's description shows that those of skill in the art would appreciate that what was known at the time PEPE's application was filed is that the cellular phone, the pager, and the PDA devices of that day could not handle information which they received that was different from the information they were

tailored to receive for use by the device, that is, e.g., a cellular phone could not handle pager messages, a pager could not handle e-mails, and a PDA could not handle phone calls. This is evidenced by PEPE's mentioning that the PCT device 40 may perform media conversion to allow, for instance, an incoming e-mail message to be converted to a textual message for delivery to a fax server (Col. 6, lines 3 - 5). Clearly then such an incoming e-mail message could not be directly received by the fax server without being converted by the PCT 40. Consequently, then, PEPE teaches the art that it was not possible to redirect the transmitted information among the devices for receipt, e.g., incoming calls could not be directed to the PDA for receipt, or pager messages to the cellular phone for receipt, so that both the primary and secondary devices contemplated by PEPE were not capable of directly receiving "user messages". Furthermore, one of skill would understand that PEPE does not teach that the primary device and the secondary device can be similar devices, i.e., a PDA and a PDA, or a cellular phone and a cellular phone, since, as just explained, PEPE's devices function differently from each other and from those of Applicants' invention. It would be understood, by comparison, that all of the devices defined in Applicants' claims can receive and handle the same kind of information, i.e., user messages, so that a secondary device can be used instead of the primary device to receive the information, and both can be similar devices. Conversion between different information formats is not necessary in the system of Applicants' invention since the user messages have an information format receivable and usable by all of the receiving devices, primary and secondary.

It is noted that PEPE's **notification** can be rerouted (Col. 6, lines 11 to 19) to any of the recipient's devices, but PEPE does not teach that this rerouting includes the user message per se, i.e., with the information content. It will be seen that in accordance with Applicants' invention and as defined in the claims, such user messages, addressed to a recipient's primary mobile station, can be directed or rerouted to any one of the secondary mobile stations of the recipient, e.g., cellular phones, pagers, or PDAs, that can receive such messages with their information content. Hence, the system of PEPE only describes and teaches the art that a **notification**, not the **user message per se**, is sent to another device if the primary device is not operating, and the skilled

artisan would clearly appreciate the difference between what is meant by a notification as distinguished from a user message in the defined context.

All of Applicants' independent claims 1, 6, 10, and 15 define that the primary mobile station and the secondary mobile station are capable of receiving and handling the same kind of messages, i.e., "user messages", not merely notifications of messages. A notification of a message, whether in the form of text or otherwise, would be understood by the art to constitute an indication that a message has been received, and would not be taken as meaning that the notification itself constituted the message per se with its information content. It is therefore submitted that all of Applicants' claims are not anticipated by and patentably define over the teaching of PEPE.

Further, with particular regard to the devices disclosed by PEPE and their inability to perform the operations defined in Applicants' claims, it is questioned on what basis one of skill would perceive that PEPE's device 32 corresponds to Applicants' claimed "primary mobile station", as concluded by the Examiner, or correspondingly, why some other of PEPE's devices would be perceived as a "secondary mobile station". The only correspondence to be found is that the former in PEPE is a mobile phone and the latter is a pager, but if a message is received in the mobile phone, the same message should be forwarded to the secondary station in the same form in keeping with Applicants' claims. One of skill is taught that PEPE's devices 22, 24, 26 and 20, are all not mobile devices, but instead, fixed devices positioned in an office environment. If a message is received in the primary mobile station, it should be received EITHER in the device 32 (mobile station), the pager 34, or the PDA 30. If it is received in the office devices, this means that the claim limitation "directing user messages addressed to primary mobile station" is not fulfilled by PEPE, because phone 26 is not mobile.

It will be seen that PEPE's teaching deals with consumer premises equipment, which primarily constitute fixed devices. In contrast, Applicants' claims call for the original message to always be addressed to a mobile device. There is no such teaching in PEPE wherein the devices used are a fixed phone and a mobile phone, a

fixed fax and a mobile fax, a fixed computer and a mobile computer (PDA). PEPE, as noted above, does not use two mobile phones or other duplicated devices. PEPE contains no teaching or suggestion of a primary mobile station AND a secondary mobile station as defined in Applicants' claims.

For example, if it is assumed that PEPE's mobile station 32 were indeed a primary station, it would follow that the user's message, which would be understood to be a voice message at the time PEPE was filed, would be forwarded to one of the secondary devices, i.e., to the PDA or the pager. However, this is not what actually takes place in PEPE's teaching. True, a phone call may be received in the pager, but the pager cannot be used for listening to the call. If the pager were a primary station, the only messages that it could receive would be phone calls, but, since the pager cannot be used for listening to the calls, it would not be a valid primary station. In PEPE the user of the pager does not forward the messages received to the pager, for example, to his mobile phone or PDA device. If the PDA were a primary station, this would require that it receive some communication. Figs. 28 to 45 suggest that the PDA could output CALL COMMAND, and it might be supposed that it can also receive calls and messages. However, to implement a procedure as defined in Applicants' claims, the user would have to turn off the PDA in order to redirect the incoming message to the PDA, instead of the mobile station 32.

Essentially in PEPE there are three types of mobile devices. One of skill considering the capability of the existing technology at the time PEPE was filed, must suppose that to implement PEPE's system in the manner of the invention that the user would have to always carry all the devices with him; the mobile phone and the PDA being switched off and the pager being switched on. If, for example, a facsimile message is received, a notification message is then received in the pager. The user must carry the PDA device with him because it is needed for reading such messages which the mobile phone or the pager cannot read. If the user, for example, forgets to bring his PDA device, when the pager receives a notification of a new, received, facsimile message, the user has to fetch the PDA device in order to read the message. There is no mention in PEPE that the user might read incoming facsimile messages using the pager so that all of PEPE's devices are needed

to attempt to perform the procedures that can be accomplished with Applicants' invention. Accordingly, PEPE's teaching neither anticipates nor suggests the combination of devices and steps defined in Applicants' claims.

Given the failures detailed above in the teaching of PEPE, there is nothing in the teaching of the PEPPER reference that in any manner can supply features which in combination with PEPE could render Applicants' invention obvious as claimed.

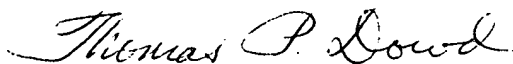
Based on the significant differences delineated above (and dealt with at length in the prior responses to Office Actions in this case) between Applicants' invention, as particularly defined in the claims, and the teaching of PEPE, taken alone or with that of PEPPER, it is submitted that the cited art fails to render any of the Claims 1 - 18 unpatentable under 35 U.S.C. §102(b) or 35 U.S.C. §103(a) so that they all should be allowed.

In summary, then, it is believed that the application is now in complete conformance with the requirements of the statutes and the claims are patentably distinguishable over the prior art, so that a prompt reconsideration and allowance of all of the claims and passage to issue of this application is earnestly solicited and respectfully requested.

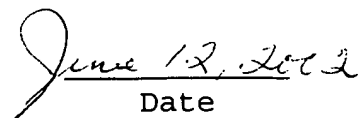
Corrected formal drawings to replace the informal drawings filed with the application will be submitted upon allowance.

In the event that any additional fee is required for the entry and consideration of this response, it is authorized and requested that such fee be deducted from Deposit Account No. 16-1350, and the Amendment be timely entered.

Respectfully submitted,



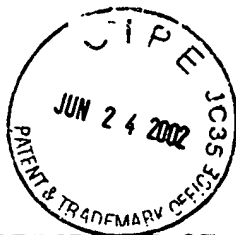
Thomas P. Dowd (Reg. No. 24,586)


Date

Perman & Green, LLP
425 Post Road
Fairfield, CT 06430

Tel. (203) 259-1800
Fax. (203) 255-5170

Customer No.: 2512



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